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| U.S. DEPARTMENT OF COMMERCE, PATENT AND TRADEMARK OFFICE | | DATE: October 15, 2004 |
| TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371 | | U.S. Application No. (if known): 10/511396 |
| INTERNATIONAL APPLICATION NO.: PCT/JP03/04910 | INTERNATIONAL FILING DATE: April 17, 2003 | PRIORITY DATE CLAIMED: April 17, 2002 |
| TITLE OF INVENTION: SAMPLE SURFACE INSPECTION APPARATUS AND METHOD | | |
| APPLICANT(S) FOR DO/EO/US: Masahiro HATAKEYAMA, Kenji WATANABA, Takeshi MURAKAMI, Tohru SATAKE and Nobuharu NOJI | | |
| Applicant hereby submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: | | |
| 1. <u>XX</u> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. | | |
| 2. <u> </u> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. | | |
| 3. <u>XX</u> This is an express request to begin national examination procedures (35 USC 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. | | |
| 4. <u>XX</u> The US has been elected (Article 31). | | |
| 5. <u>XX</u> A copy of the International Application as filed (35 U.S.C. 371(c)(2)): a. <u> </u> is transmitted herewith (required only if not transmitted by the International Bureau). b. <u>XX</u> has been transmitted by the International Bureau. c. <u> </u> is not required, as the application was filed in the United States Receiving Office (RO/US) | | |
| 6. <u>XX</u> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). a. <u>XX</u> is attached hereto. b. <u> </u> has been previously submitted under 35 U.S.C. 154(d)(4). | | |
| 7. <u>XX</u> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. <u> </u> are transmitted herewith (required only if not transmitted by the International Bureau). b. <u> </u> have been transmitted by the International Bureau. c. <u> </u> have not been made; however, the time limit for making such amendments has NOT expired. d. <u>XX</u> have not been made and will not be made. | | |
| 8. <u> </u> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). | | |
| 9. <u> </u> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). | | |
| 10. <u> </u> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). | | |
| ITEMS 11. TO 20. BELOW CONCERN OTHER DOCUMENT(S) OR INFORMATION INCLUDED: | | |
| 11. <u>XX</u> An Information Disclosure Statement under 37 CFR 1.97 and 1.98 together with the international search report, PTO-1449. | | |
| 12. <u> </u> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. ASSIGNEE NAME AND ADDRESS: EBARA CORPORATION, Tokyo, Japan Please publish the assignee data with the application. | | |
| 13. <u>XX</u> A preliminary amendment. | | |
| 14. <u> </u> An Application Data Sheet under 37 C.F.R. 1.76 | | |
| 15. <u> </u> A substitute specification. | | |
| 16. <u> </u> A change of power of attorney and/or address letter. | | |
| 17. <u> </u> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 C.F.R. 1.821 - 1.825. | | |
| 18. <u> </u> A second copy of the published international application under 35 U.S.C. 154(d)(4). | | |
| 19. <u> </u> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). | | |
| 20. <u>XX</u> Other items or information: 19 sheets of drawings. | | |

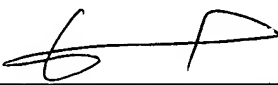
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| U.S. APPLICATION NO. (if known) 10/511393 | INTERNATIONAL APPLICATION NO. PCT/JP03/04910 | DATE: October 15, 2004 | |
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| 21. <input checked="" type="checkbox"/> The following fees are submitted: Basic National Fee (37 CFR 1.492(a)(1)-(5): Search Report has been prepared by the EPO or JPO:\$950.00 International preliminary examination fee paid to USPTO (37 CFR 1.482)\$750.00 No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2))\$790.00 Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO\$1110.00 International preliminary examination fee (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4)\$100.00 <div style="text-align: right;">ENTER APPROPRIATE BASIC FEE AMOUNT =</div> | <u>CALCULATIONS</u> | <u>PTO USE ONLY</u> |
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| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)). | \$ 130.00 | |
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| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | | |
|---|-----------------|--------------|------------|-------------------|----|
| TOTAL | 59 -20 = | 39 | X \$ 18.00 | \$ 702.00 | |
| INDEPENDENT | 5 - 3 = | 2 | X \$ 88.00 | \$ 176.00 | |
| Multiple dependent claims(s) (if applicable) | | | + \$300.00 | \$ 300.00 | |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$2,258.00 | |
| Reduction by 1/2 for filing by small entity, if applicable. (Note 37 CFR 1.9, 1.27, 1.28). | | | | | |
| SUBTOTAL = | | | | \$2,258.00 | |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)). + | | | | | |
| TOTAL NATIONAL FEE = | | | | \$2,258.00 | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property + | | | | | |
| TOTAL FEES ENCLOSED = | | | | \$2,258.00 | |
| | | | | Amount to be: | |
| | | | | refunded | \$ |
| | | | | charged | \$ |

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| U.S. Application NO. (if known) | INTERNATIONAL APPLICATION NO. PCT/JP03/04910 | DATE: October 15, 2004 |
| <p>a. <u>XX</u> A check in the amount of \$2,258.00 to cover the above fees is enclosed. (\$950.00 for basic filing fee; \$702.00 for 39 additional claims; \$176.00 for 2 additional independent claims; \$300.00 for multiple dependent claims and \$130.00 for late filing of the declaration).</p> <p>b. <u> </u> Please charge my Deposit Account No. 50-2866 in the amount of \$<u> </u> to cover the above fees. (A duplicate copy of this sheet is enclosed.)</p> <p>c. <u>XX</u> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-2866.</p> <p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed to request that the application be restored to pending status.</p> | | |
| Send All Correspondence To: | WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP 1250 Connecticut Avenue, N.W. Suite 700 Washington, D.C. 20036 CUSTOMER No. 38834 | |
| Typed or Printed Name: Ken-Ichi Hattori | | Reg. No.: 32,861 |
| Signature  | | Date: October 15, 2004 |

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